IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.5301 OF 2005

Canossa Society : Petitioner

V/s.

Bastyav Zuzya Dabare & Ors. : Respondents

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Mr.R.Z. Morey for Mr.Y.S.Talkute for the petitioner.

None present for the respondents.

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CORAM : S.A. BOBDE, J.

August 29, 2005.

P.C.:

1. Having heard the matter for sometime, it is clear that the petitioner's apprehension regarding the mutation entry is unfounded. The petitioner claims title and possession of the lands in question and submits that the respondents' names could not have been entered in the revenue record.

2. It is settled law that mutation entries in revenue record do not either invest or divest title or possession. They are meant for fiscal purposes. Undoubtedly, the petitioner shall be entitled, if obstructed in any way, or for any other reason, to agitate his right in a civil

suit, as may be advised.

3. In the circumstances, there is no need to interfere at this sage. Mr.More seeks permission to withdraw. Allowed to withdraw with the above observations. Disposed of.

Sd/-

S.A. BOBDE, J.